Government Gazette

FOR THE COLONIES OF

VANCOUVER ISLAND AND BRITISH COLUMBIA.

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No. 11.] VICTORIA, VANCOUVER ISLAND, SATURDAY, NOVEMBER 19, 1859. [PRICE 6D

COLONIAL SECRETARY'S OFFICE.
Victoria V. I., 18th November, 1859.

The following opinion of the Attorney General with reference to the transfer of real estate is herewith published for general information.

By Command,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

NUMEROUS applications for Title Deeds to the town lots in British Columbia have been made which cannot, unfortunately, be granted; the English law, which has ruled in British Columbia since the formation of the colony, required that every valid transfer of an estate in land must be made by a writing, sealed and delivered by the party transferring, and that the word "heirs" should be coupled with the name of the person to whom the transfer is made, if any greater estate than an estate for life is intended to pass. The right to complete a purchase of a town lot commenced by some other person, and the right to the land in full by the person transferring, are both interests in land requiring the above formalities for their valid transfer, and in both cases the word "heirs," should have been used. Hence I am unable to issue Crown Grants to sub-purchasers who are unable to produce a Deed, signed and sealed by the original purchaser from the Crown

A measure to remedy past evils shall be immediately prepared.

(Signed) George Hunter Cary.

TENDERS are invited for BILLS in sums not less than £250, drawn on the LORDS COMMISSIONERS of Her Majesty's Treasury, London.

W. DRISCOLL GOSSET,
September 7th, 1859. Treasurer.

COLONIAL SECRETARY'S OFFICE,
Victoria, V. I., 19th November, 1859.

The following opinion of the Attorney General upon the subject of the lands allotted to settlers in the Chemanis District, is herewith published for general information.

By Command,
WILLIAM A. G. YOUNG,
Acting Colonial Secretary.

I AM of opinion that the contract disclosed by the correspondence concerning the Chemanis settlement contains nothing which clothes a petitioner or claimant with the right to sell his allotment. I am further of opinion that the vendor loses his claim by selling, and that the purchaser, from such claimant, would take nothing by his purchase; and I would recommend that, at some future period, a right to sell shall be given to every settler who has improved and settled his land to a certain extent, and that bona fide settlers should be confirmed in their claims. But in order to prevent the land from being taken for speculative purposes (which has already occurred to a great extent,) I would suggest that the license in question should be retained at present, and that a registry of claimants should be at once opened. If such a course as I have suggested is taken, the speculator cannot, any more than now, hold his land without settlement and improvement, much less sell it: he would not therefore claim, but leave to the bona fide settler a fair proportion of the useful land.

(Signed) George Hunter Cary.

POST OFFICE, VICTORIA, V. I.,
October 22, 1859.

THOSE MERCHANTS or residents who would desire the advantage of private boxes at the Post Office, available at all reasonable hours to the owners, and who would be willing to pay Ten Shillings per Quarter, finding their own locks in the first instance, are requested to subscribe their names at the Post Office or communicate their wish to me in writing, as I am desirous, in devising a new Post Office, to make provision for, if possible, affording the public a facility much approved of in New York and other American cities.

W. DRISCOLL GOSSET,
Acting P. M. General.

SALE OF PUBLIC LANDS
IN
NANAIMO.

VANCOUVER ISLAND COLONY,
August 18th, 1859.

ON and after Thursday, the 1st SEPTEMBER next 30,000 acres of AGRICULTURAL and MINERAL LANDS, recently surveyed at NANAIMO, will be sold at the Land Office, Victoria, on the usual terms. If any case shall then occur of two or more persons wanting to purchase the same Land, such Land will at once be put up to competition and sold to the highest bidder.

JOSEPH D. PEMBERTON,
Colonial Surveyor.

NEXT OF KIN.

PIERRE PRATT, Deceased. Information wanted as to the next of kin to Pierre Pratt, a supposed native of Aubenas, Department Ardeche, France, who was accidentally drowned whilst attempting to cross the river in a small canoe, about three-quarters of a mile above Cayoosh. Deceased had been working on the river.

Communications to be addressed to the Colonial Secretary, Victoria, Vancouver Island.

PUBLIC NOTICE.

I HEREBY GIVE NOTICE, that I shall, on or before the 30th day of November in this year, make out a list of all persons entitled to vote in the election of a Member to serve in the House of Assembly of Vancouver Island, for each of the hereafter named Districts, that is to say, for—

Victoria County District.
Victoria Town District.
Esquimalt and Metchosen County District.
Esquimalt Town District.
Nanaimo District.
Lake District.
Sooke District.
Saanich District.
Salt Spring Island District, including the Settlement of Chemaynis,

In respect of property (or other qualification) situate within this District or Town; and all persons so entitled are hereby required to deliver or transmit to me, on or before the 23rd day of November, in this year, a claim in writing, containing the Christian name and surname, their place of abode, the nature of their qualification, the name of the street, lane or other like place wherein the property in respect of which they claim to vote, is situated, and each of such persons so claiming must also at the same time pay to me the sum of four shillings and two pence.

Persons omitting to deliver or transmit such claim or make such payment, will be excluded from the list of voters for this District (Town or City.)

N. B. Any false declaration is declared by law to be perjury; and any wilfully false claim a misdemeanor.

GEORGE W. HEATON,
Sheriff of Vancouver Island.

Sheriff's Office, Victoria, V. I.
9th Nov. 1859.

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